

REMARKS

I. Introduction

Claims 1-14 are currently pending in the present application and remain rejected. In view of the following remarks, it is respectfully submitted that the pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 1-3, 5-10 and 13-14 under 35 U.S.C. § 103(a)

Claims 1-3, 5-10 and 13-14 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,176,973 ("Takada") in view of U.S. Publication No. 2001/0026322 ("Takahashi"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a *prima facie* case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references, and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. In addition, as clearly indicated by the Supreme Court, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to [modify] the [prior art] elements" in the manner claimed. See KSR Int'l Co. v. Teleflex, Inc., 82 U.S.P.Q.2d 1385 (2007). In this regard, the Supreme Court further noted that "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Id., at 1396. To the extent that the Examiner may be relying on the doctrine of inherent disclosure in support of the obviousness rejection, the Examiner must provide a "basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied art." (See M.P.E.P. § 2112; emphasis in original; see also Ex parte Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990)).

Claim 1 recites, in relevant parts, "each of said plurality of imaging units comprises an imaging lens and an imaging device located on an image plane of said imaging lens, said plurality of imaging units are two-dimensionally arranged in rows and columns, with an optical axis of each imaging unit defined as an axis through a common object point at an imaging position and the center of each imaging lens, directions of the optical axes of the imaging units adjacent to each other are different, said common object point and each imaging device are located at a conjugate position, and said illumination device is positioned in such a way as to direct illumination light in a direction along the optical axis of each imaging unit." In the present claimed invention (which is illustrated in the attached "Illustration A" of the Appendix), the pupil P, i.e., the center point of the iris, is the common object point, and the common object point and a light receiving surface of each of the imaging devices are conjugated.

On the other hand, in the arrangement of Takada (which is illustrated in the attached "Illustration B" of the Appendix), since the disclosed invention relates to a device that images a reflection image of an iris, an area of the iris and a light receiving surface of each of imaging devices are conjugated, i.e., there is no common object point at a position of the iris. Furthermore, in the arrangement of Takahashi (which is illustrated in the attached "Illustration C" of the Appendix, which corresponds to Fig. 2A of Takahashi), since the invention relates to an imaging device, the entire object 10 and a light receiving surface of an imaging device are conjugated (see also FIG. 14 of Takahashi), i.e., there is a common object point in the inside of a lens 11, but the common object point is not conjugated with the light receiving surface of the imaging device. Accordingly, the overall teachings of Takada and Takahashi cannot teach or suggest the claimed feature that "said common object point and each imaging device are located at a conjugate position," as recited in claim 1.

For at least the foregoing reasons, claim 1 and its dependent claims 2-3, 5-10 and 13-14 are allowable over Takada and Takahashi.

III. Rejection of Claim 4 under 35 U.S.C. § 103(a)

Claim 4 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,176,973 ("Takada") in view of Takahashi (US 2001/0026322), as applied to claim

1 above, and further in view of U.S. Patent No. 5,751,836 ("Wildes"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

Claim 4 depends on claim 1. As discussed above, Takada and Takahashi do not render parent claim 1 obvious. In addition, Wildes fails to remedy the deficiencies of Takada and Takahashi as applied against parent claim 1. Accordingly, the overall teachings of Takada, Takahashi and Wildes do not render claim 1 and its dependent claim 4 obvious.

IV. Rejection of Claim 11 under 35 U.S.C. § 103(a)

Claim 11 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over Takada in view of Takahashi as applied to claim 1 above, and further in view of U.S. Patent No. 6,556,349 ("Cox"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

Claim 11 depends on claim 1. As discussed above, Takada and Takahashi do not render parent claim 1 obvious. In addition, Cox fails to remedy the deficiencies of Takada and Takahashi as applied against parent claim 1. Accordingly, the overall teachings of Takada, Takahashi and Cox do not render claim 1 and its dependent claim 11 obvious.

V. Rejection of Claim 12 under 35 U.S.C. § 103(a)

Claim 12 remains rejected under 35 U.S.C. § 103(a) as being unpatentable over Takada in view of Takahashi as applied to claim 1 above, and further in view of U.S. Patent No. 5,886,780 ("Fukuma"). Applicant respectfully submits that the rejection should be withdrawn for at least the following reasons.

Claim 12 depends on claim 1, since claim 12 recites "an imaging system as recited in claim 1." As discussed above, Takada and Takahashi do not render parent claim 1 obvious. In addition, Fukuma fails to remedy the deficiencies of Takada and Takahashi as applied against parent claim 1. Accordingly, the overall teachings of Takada, Takahashi and Fukuma do not render claim 1 and its dependent claim 12 obvious.

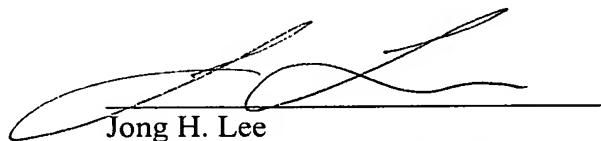
VI. Conclusion

It is therefore respectfully submitted that pending claims 1-14 are now in allowable condition. All issues raised by the Examiner have been addressed, and an early and favorable action on the merits is solicited.

Appendix containing Illustrations A, B and C is provided on the next page.

Respectfully submitted,

KENYON & KENYON LLP



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Jong H. Lee
Registration Number 36,197
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NUMBER 26646